

JOURNAL

OF THE

EXECUTIVE PROCEEDINGS

OF THE

U.S. Cong.

SENATE

492
1194
Pat.

OF THE

UNITED STATES OF AMERICA

FROM DECEMBER 6, 1852, TO MARCH 3, 1855, INCLUSIVE.

25.8
5-173

VOL. IX.

PRINTED BY ORDER OF THE SENATE OF THE UNITED STATES.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1887.

JH 1251
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IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,
June 28, 1886.

Resolved, That the entire Executive Journal of the Senate, from the 23d February, 1829, the date to which the said proceedings have already been printed and published by order of the Senate, be printed, to the end of the last session of the Fortieth Congress, under the direction of the Secretary of the Senate, with a copious and comprehensive index to each volume, and that one hundred copies thereof be printed.

Resolved, That until the further order of the Senate the said print shall not be made public.

Attest:

ANSON G. MCCOOK,
Secretary.

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EXECUTIVE JOURNAL OF THE SENATE OF THE UNITED STATES.

[At the second session Thirty-second Congress, commencing Monday,
December 6, 1852.]

THURSDAY, DECEMBER 9, 1852.

The following messages were received from the President of the United States, by Mr. M. P. Fillmore, his Secretary :

To the Senate of the United States :

I nominate the officers named in the accompanying list for promotion and appointment in the Army of the United States, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *December 6, 1852.*

WAR DEPARTMENT, *December 6, 1852.*

SIR: I have the honor to lay before you the annexed list of promotions and appointments in the Army of the United States :

I.—REGULAR PROMOTIONS.

Subsistence Department.

Captain John B. Grayson, commissary of subsistence with the rank of captain, to be commissary of subsistence with the rank of major, October 21, 1852, vice Lendrum, deceased.

Corps of Engineers.

First Lieutenant Danville Leadbetter to be captain, October 16, 1852, vice F. A. Smith, deceased.

Second Lieutenant John Newton to be first lieutenant, October 16, 1852, vice Leadbetter, promoted.

Brevet Second Lieutenant Andrew J. Donelson to be second lieutenant, October 16, 1852, vice Newton, promoted.

Second Regiment of Dragoons.

Brevet Second Lieutenant David Bell to be second lieutenant, October 9, 1852, vice Helm, resigned.

Second Regiment of Artillery.

First Lieutenant Henry J. Hunt to be captain, September 28, 1852, vice Roland, deceased, and Nichols assistant adjutant-general, who vacates his regimental commission.

Second Lieutenant R. P. Butler to be first lieutenant, September 28, 1852, vice Nichols, assistant adjutant-general, who vacates his regimental commission.

Second Lieutenant James M. Robinson, to be first lieutenant, September 28, 1852, vice Hunt, promoted.

Brevet Second Lieutenant Robert B. Thomas to be second lieutenant, September 28, 1852, vice Butler, promoted.

Brevet Second Lieutenant Albert J. S. Molinard, of the Fourth Regiment of Artillery, to be second lieutenant, September 28, 1852, vice Robinson, promoted.

Fourth Regiment of Infantry.

First Lieutenant Christopher C. Augur to be captain, August 1, 1852, vice Gore, deceased.

Second Lieutenant William H. Scott to be first lieutenant, August 1, 1852, vice Augur, promoted.

Brevet Second Lieutenant Henry C. Hodges to be second lieutenant, August 1, 1852, vice Scott, promoted.

II.—APPOINTMENTS.

Quartermaster's Department.

Samuel McManemy, of Pennsylvania, to be a military storekeeper attached to the purchasing branch of the Quartermaster's Department, vice Fayssoux, deceased, to date from October 1, 1852.

Subsistence Department.

First Lieutenant Simon B. Buckner, of the Sixth Regiment of Infantry, to be commissary of subsistence with the rank of captain, vice Grayson, promoted, to date from November 3, 1852.

Medical Department.

Basil Norris, of Maryland, to be an assistant surgeon, vice Adkins, resigned, to date from October 11, 1852.

III. The following-named officers of the Army were promoted, according to seniority, by the President during the recess preceding the last session of Congress, and it is understood their nominations were laid before the Senate, and that that body adjourned without acting on them. As the services of these officers were required, they were appointed to the rank to which they had been previously promoted, and commissions to continue in force till the fourth of March next were issued to them. I herewith transmit copies of the official correspondence on this subject, marked A, B, and C:

First Regiment of Dragoons.

First Lieutenant John W. T. Gardiner to be captain, October 9, 1851, vice Kenny, resigned.

Second Lieutenant John Adams to be first lieutenant, October 9, 1851, vice Gardiner, promoted.

Second Lieutenant Thomas F. Castor to be first lieutenant, October 9, 1851, vice Coutts, resigned.

Brevet Second Lieutenant William T. Magruder to be second lieutenant, October 9, 1851, vice Castor, promoted.

Brevet Second Lieutenant Robert Ransom to be second lieutenant, October 9, 1851, vice Adams, promoted.

I am, sir, with great respect, your obedient servant,

C. M. CONRAD,
Sec'y of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States :

I nominate the persons hereinafter named to the offices to which they have been appointed during the last recess of the Senate, viz :

Edward Everett, of Massachusetts, to be Secretary of State of the United States, in the place of Daniel Webster, deceased.

Silas H. Hodges, of Vermont, to be Commissioner of Patents, in the place of Thomas Ewbank, resigned.

John Wilson, of Washington, in the District of Columbia, to be Commissioner of the General Land Office of the United States, in the place of Justin Butterfield, resigned.

George F. Comstock, of New York, to be Solicitor of the Treasury of the United States, in the place of John C. Clarke, deceased.

E. A. Cabell, of Virginia, to be principal clerk of public lands in the General Land Office of the United States, in the place of John Wilson, appointed commissioner of said office.

Robert B. Lambdin, of Missouri, to be Indian agent at the Upper Missouri Agency, in the place of I. H. Norwood, deceased.

John Ambler, of Virginia, to be marshal of the United States for the western district of Virginia, in the place of James Points, deceased.

Hiram H. Baber, of Missouri, to be marshal of the United States for the district of Missouri, in the place of John W. Twichell, deceased.

John D. Coalter, of Missouri, to be attorney of the United States for the district of Missouri, in the place of I. D. Cook, deceased.

Thomas M. Foote, of New York, to be chargé d'affaires of the United States at the court of His Majesty the Emperor of Austria, in the place of William I. McCurdy, recalled at his own request.

Hector C. Ames, of New York, to be consul of the United States for the port of Acapulco, in Mexico, in the place of George W. Slacum, declined.

MILLARD FILLMORE.

WASHINGTON, 7th December, 1852.

To the Senate of the United States :

Commissions having been granted during the recess of the Senate to the following persons for the offices respectively annexed to their names, I now nominate them to the same, viz :

William R. Smith as collector of the customs for the district of Texas and inspector of the revenue for the port of Galveston, in the State of Texas, vice John B. Ashe, whose commission was revoked.

Beverly C. Sanders as collector of the customs for the district of San Francisco, in the State of California, vice Thomas Butler King, resigned.

Frederick L. Henop as appraiser of merchandise for the port of Philadelphia, in the State of Pennsylvania, vice John H. Withers, removed.

James Murray, of Baltimore, Maryland, as supervising inspector of steamboats, vice John Murray, whose commission was revoked;

Alfred Guthrie, of Chicago, Illinois, as supervising inspector of steamboats, vice George W. Dole, declined.

William A. Bird, of Black Rock, New York, as supervising inspector of steamboats, vice Hiram Barton, declined.

Charles W. Copeland, of New York, New York, as supervising inspector of steamboats, vice Robert L. Stevens, declined.

MILLARD FILLMORE.

WASHINGTON, *December 7, 1852.*

To the Senate of the United States:

I nominate Robert G. Robb to be a commander in the Navy, from the 2d of November, 1852, to fill a vacancy occasioned by the death of Commander William Pearson.

John Colhoun to be a commander in the Navy, from the 4th of November, 1852, to fill a vacancy occasioned by the death of Commander George P. Upshur.

John C. Beaumont to be a lieutenant in the Navy, from the 29th of August, 1852, to fill a vacancy occasioned by the death of Lieutenant John H. Little.

Charles H. B. Caldwell to be a lieutenant in the Navy, from the 4th of September, 1852, to fill the vacancy occasioned by the resignation of Lieutenant William Leigh.

Charles M. Fauntleroy to be a lieutenant in the Navy, from the 2d of November, 1852, to fill the vacancy occasioned by the promotion of Lieutenant Robert G. Robb.

William B. Fitzgerald to be a lieutenant in the Navy, from the 4th of November, 1852, to fill a vacancy occasioned by the promotion of Lieutenant John Colhoun.

MILLARD FILLMORE.

WASHINGTON, *December 8, 1852.*

To the Senate of the United States:

I renominate James M. Duncan to be a lieutenant in the Navy, from the 2d of December, 1851, to fill a vacancy occasioned by the resignation of Lieutenant Richard W. Meade.

Lardner Gibbon to be a lieutenant in the Navy, from the 5th of December, 1851, to fill a vacancy occasioned by the death of Lieutenant William Preston Griffin.

Samuel Marcy to be a lieutenant in the Navy, from the 2d of April, 1852, to fill a vacancy occasioned by the resignation of Lieutenant L. Maynard.

John P. Bankhead to be a lieutenant in the Navy, from the 7th of April, 1852, to fill a vacancy occasioned by the resignation of Lieutenant Wilmer Shields.

I. W. A. Nicholson to be a lieutenant in the Navy, from the 24th of April, 1852, to fill a vacancy occasioned by the resignation of Lieutenant Edmund T. Shubrick.

Thomas G. Corbin to be a lieutenant in the Navy, from the 10th of June, 1852, to fill a vacancy occasioned by the resignation of Lieutenant William B. Muse.

Gustavus V. Fox to be a lieutenant in the Navy, from the 9th of July, 1852, to fill a vacancy occasioned by the death of Lieutenant Nathaniel W. Duke.

John Matthews to be a lieutenant in the Navy, from the 13th of July, 1852, to fill a vacancy occasioned by the resignation of Lieutenant Samuel J. Shipley.

William B. Sinclair to be a surgeon in the Navy, from the 21st of June, 1852, to fill a vacancy occasioned by the death of Surgeon John S. Wiley.

William S. Nichol, of Tennessee, to be an assistant surgeon in the Navy, to fill the vacancy occasioned by the promotion of Passed Assistant Surgeon William B. Sinclair.

John C. Coleman, of Virginia, to be an assistant surgeon in the Navy, to fill the vacancy occasioned by the resignation of Assistant Surgeon O. J. Wister.

MILLARD FILLMORE.

WASHINGTON, *December 8, 1852.*

To the Senate of the United States :

I nominate J. K. Harwood, of Maryland, to be a purser in the Navy, from the 24th of November, 1852, to fill a vacancy occasioned by the death of Purser William C. Christian.

W. Brenton Boggs, of New York, to be a purser in the Navy, from the 30th of November, 1852, to fill the vacancy occasioned by the resignation of Purser William A. Bloodgood.

MILLARD FILLMORE.

WASHINGTON, *December 8, 1852.*

To the Senate of the United States :

I nominate Samuel Jackson to be a surgeon in the Navy, from the 2d of September, 1852, to fill a vacancy occasioned by the death of Surgeon D. C. McLeod.

James Jeffray Brownlee to be a surgeon in the Navy, from the 19th of October, 1852, to fill a vacancy occasioned by the resignation of Surgeon A. J. Bowie.

Stephen A. McCreery to be a surgeon in the Navy, from the 22d of November, 1852, to fill a vacancy occasioned by the death of Surgeon Jonathan Cowdery.

J. Sage Hopkins, of Virginia, to be an assistant surgeon in the Navy, from the 2d of September, 1852, to fill a vacancy occasioned by the promotion of Passed Assistant Surgeon Samuel Jackson.

Richard H. Cowman, of Maryland, to be an assistant surgeon in the Navy, from the 17th of September, 1852, to fill a vacancy occasioned by the resignation of Passed Assistant Surgeon Joseph Hopkinson.

MILLARD FILLMORE.

WASHINGTON, *December 8, 1852.*

To the Senate of the United States :

I transmit herewith several nominations of naval officers. These persons were respectively commissioned by me during the recess previous to your last session, and their nominations laid before the Senate at that session, but remained unacted upon at its close; the consequence of which was, that the commissions which had been given expired, and I felt it my duty for the reasons stated in the correspondence between the Secretary of the Navy and myself (a copy of which is hereto annexed) to renew those commissions during the last recess. I did this

with much reluctance, and consequently feel it my duty to present them again for your consideration at the earliest practicable moment.

The same is true of the nominations sent in from the War Department.

MILLARD FILLMORE.

WASHINGTON, *December 8, 1852.*

To the Senate of the United States :

I renominate Lewis E. Simonds to be a captain in the Navy, from the 5th of April, 1851, to fill a vacancy occasioned by the death of Captain Alexander S. Wadsworth.

Harrison H. Cocke to be a captain in the Navy, from the 22d of April, 1851, to fill a vacancy occasioned by the death of Captain Samuel Barron.

William J. McCluney to be a captain in the Navy, from the 13th of October, 1851, to fill a vacancy occasioned by the death of Captain Lewis Warrington.

Lloyd B. Newell to be a commander in the Navy, from the 6th of April, 1851, to fill the vacancy occasioned by the promotion of Commander Lewis E. Simonds.

William S. Ogden to be a commander in the Navy, from the 22d of April, 1851, to fill the vacancy occasioned by the promotion of Commander Harrison H. Cocke.

Frederick A. Neville to be a commander in the Navy, from the 15th of July, 1851, to fill a vacancy occasioned by the death of Commander Thomas J. Leib.

Charles C. Turner to be a commander in the Navy, from the 20th of July, 1851, to fill a vacancy occasioned by the death of Commander James D. Knight.

John Manning to be a commander in the Navy, from the 13th of October, 1851, to fill a vacancy occasioned by the promotion of Commander William J. McCluney.

James L. Lardner to be a commander in the Navy, from the 21st of November, 1851, to fill a vacancy occasioned by the resignation of Commander Joseph Mattison.

Henry Rodgers to be a lieutenant in the Navy, from the 26th of March, 1851, to fill a vacancy occasioned by the dismissal of Lieutenant E. C. Ward.

John M. B. Clitz to be a lieutenant in the Navy, from the 6th of April, 1851, to fill a vacancy occasioned by the promotion of Lieutenant Lloyd D. Newell.

John D. Read to be a lieutenant in the Navy, from the 8th of April, 1851, to fill a vacancy occasioned by the resignation of Lieutenant Robert Townsend.

Courtlandt Benham to be a lieutenant in the Navy, from 9th of April, 1851, to fill a vacancy occasioned by the death of Lieutenant James S. Ridgely.

John F. Abbott to be a lieutenant in the Navy, from the 22d of April, 1851, to fill a vacancy occasioned by the promotion of Lieutenant William S. Ogden.

George H. Cooper to be a lieutenant in the Navy, from the 8th of May, 1851, to fill a vacancy occasioned by the resignation of Lieutenant James Blair.

Bayse N. Westcott to be a lieutenant in the Navy, from the 11th of June, 1851, to fill a vacancy occasioned by the dismissal of Lieutenant Charles G. Hunter.

William Winder Pollock to be a lieutenant in the Navy, from the 15th of July, 1851, to fill a vacancy occasioned by the promotion of Lieutenant Frederick A. Neville.

I. Fenwick Stenson to be a lieutenant in the Navy, from the 29th of August, 1851, to fill a vacancy occasioned by the death of Lieutenant Charles C. Barton.

Andrew Bryson to be a lieutenant in the Navy, from the 30th of August, 1851, to fill a vacancy occasioned by the promotion of Lieutenant Charles C. Turner.

John Downes, jr., to be a lieutenant in the Navy, from the 30th of August, 1851, to fill a vacancy occasioned by the death of Lieutenant Wilson R. McKinney.

Charles M. Morris to be a lieutenant in the Navy, from the 13th of October, 1851, to fill a vacancy occasioned by the promotion of Lieutenant John Manning.

Andre J. Drake to be a lieutenant in the Navy, from the 16th of October, 1851, to fill a vacancy occasioned by the resignation of Lieutenant William S. Drayton.

James H. Spotts to be a lieutenant in the Navy, from the 21st of November, 1851, to fill a vacancy occasioned by the promotion of Lieutenant James L. Lardner.

William E. Wysham to be an assistant surgeon in the Navy, from the 24th of September, 1851, to fill the vacancy occasioned by the resignation of Assistant Surgeon William F. Carrington.

MILLARD FILLMORE.

WASHINGTON, *December 8, 1852.*

To the Senate of the United States :

I transmit to the Senate, for its consideration with a view to ratification, a treaty of friendship, commerce, and navigation between the United States and the Oriental Republic of Uruguay signed at Monte Video on the 28th of August last.

MILLARD FILLMORE.

WASHINGTON, *7 December, 1852.*

To the Senate of the United States :

I transmit to the Senate, for its consideration with a view to ratification, an additional article, signed in this city on the 16th ultimo, to the convention for the mutual delivery of criminals, fugitives from justice, in certain cases, between the United States on the one part and Prussia and other states of the Germanic Confederation on the other part, concluded on the 15th of June, 1852.

MILLARD FILLMORE.

WASHINGTON, *8th December, 1852.*

The messages were read.

The treaty of friendship, commerce, and navigation, between the United States of America and the Oriental Republic of Uruguay, concluded at Monte Video on the 28th day of August, in the year of our Lord, 1852, was read the first time.

On motion by Mr. Weller,

Ordered, That the treaty, with the message and accompanying documents, be printed in confidence for the use of the Senate.

The additional article to the convention for the mutual delivery of criminals, fugitive from justice, in certain cases, concluded between the

United States on the one part, and Prussia and other states of the Germanic Confederation on the other part, at Washington the 16th day of June, 1852, was read the first time.

On motion by Mr. Weller,

Ordered, That the additional article, with the message, be printed in confidence for the use of the Senate.

WEDNESDAY, DECEMBER 15, 1852.

The following messages were received from the President of the United States; by Mr. Fillmore, his secretary:

To the Senate of the United States :

I hereby nominate Thomas Coggeshall, jr., to be deputy postmaster at New Bedford, in the county of Bristol and State of Massachusetts, in place of Simeon Bailey, resigned.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *December 10th*, 1852.

To the Senate of the United States :

I nominate Thomas D. Condry, of South Carolina, to be marshal for the United States for the district of South Carolina, from the 15th of next January, when his present commission will expire.

MILLARD FILLMORE.

WASHINGTON, *December 13*, 1852.

To the Senate of the United States :

I nominate Richard B. Jones, of Pennsylvania, to be consul-general of the United States at Alexandria, in Egypt, in the place of Daniel S. McCauley, deceased.

MILLARD FILLMORE.

WASHINGTON, *December 15*, 1852.

The messages were read.

Ordered, That the nomination of Thomas Coggeshall, jun'r, be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nomination of Thomas D. Condry be referred to the Committee on the Judiciary.

Ordered, That the nomination of Richard B. Jones be referred to the Committee on Commerce.

On motion by Mr. Badger,

Ordered, That the nominations for promotion and appointment in the Army, received the 9th instant, be referred to the Committee on Military Affairs.

Ordered, That the nominations of Silas H. Hodges be referred to the Committee on Patents and the Patent Office.

Ordered, That the nominations of John Wilson and E. A. Cabell be referred to the Committee on Public Lands.

Ordered, That the nomination of George F. Comstock be referred to the Committee on Finance.

Ordered, That the nomination of Robert B. Lamdin be referred to the Committee on Indian Affairs.

Ordered, That the nominations of John Ambler, Hiram H. Baber, and John D. Coalter be referred to the Committee on the Judiciary.

Ordered, That the nomination of Thomas M. Foote be referred to the Committee on Foreign Relations.

Ordered, That the nomination of Hector C. Ames be referred to the Committee on Commerce.

Ordered, That the nominations of William R. Smith, Beverly C. Sanders, Frederick L. Henop, James Murray, Alfred Guthrie, William A. Bird, and Charles W. Copeland be referred to the Committee on Commerce.

Ordered, That the nominations for promotion and appointment in the Navy, received on the 9th instant, be referred to the Committee on Naval Affairs.

On motion by Mr. Mason,

Ordered, That the treaty with the Republic of Uruguay, and the additional article to the convention with Prussia and the other states of the Germanic Association, together with the messages and documents accompanying the same, received the 9th instant, be referred to the Committee on Foreign Relations.

On motion by Mr. Mason,

Ordered, That the convention with the Mexican Republic for the mutual surrender of fugitive criminals, received the 23d July, 1850; and the message from the President upon the subject of said convention, received the 28th June, 1852, be referred to the Committee on Foreign Relations.

Ordered, That the convention for the mutual delivery of criminals, fugitive from justice, with Prussia and other states of the Germanic Confederation, received the 23d June, 1852, be referred to the Committee on Foreign Relations.

Ordered, That the message from the President relating to the exchange of ratifications of the general convention with the Republic of San Salvador, received the 18th of August, 1852, be referred to the committee on Foreign Relations.

On motion by Mr. Mason,

Ordered, That the convention with Belgium, received the 30th August, 1852, be referred to the Committee on Foreign Relations.

Ordered, That the supplementary convention with His Majesty the King of the Netherlands, received the 30th of August, 1852, be referred to the Committee on Foreign Relations.

Ordered, That the message from the President, communicating instructions to R. M. Walsh relative to St. Domingo, received the 30th of August, 1852, be referred to the Committee on Foreign Relations.

Mr. Badger, from the Committee on Naval Affairs, to whom were this day referred the nominations for promotion and appointment in the Navy, received the 9th instant, reported.

TUESDAY, DECEMBER 21, 1852.

Mr. Rusk, from the Committee on Indian Affairs, to whom was referred the 15th instant, the nomination of Robert B. Lambdin, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

The Senate proceeded to consider the nominations of Lewis E. Simonds, Harrison H. Cocke, William J. McCluney, Lloyd B. Newell, William S. Ogden, Frederick A. Nevill, Charles C. Turner, John Manning, James L. Lardner, Henry Rodges, John M. B. Clitz, John D. Read, Courtlandt Benham, John F. Abbott, George H. Cooper, Bayse N. Westcott, Will-

iam Winder Pollock, J. Fenwick Stenson, Andrew Bryson, John Downs, jr., Charles M. Morris, Andrew J. Drake, James H. Spotts, William E. Wysham, James M. Duncan, Lardner Gibbon, Samuel Marcy, John P. Bankhead, J. W. A. Nicholson, Thomas G. Corbin, Gustavus V. Fox, John Matthews, William B. Sinclair, William S. Nichol, John C. Coleman, Robert G. Robb, John Colhoun, John C. Beaumont, Charles H. B. Caldwell, Charles M. Fauntleroy, William B. Fitzgerald, Samuel Jackson, James Jeffray Brownlee, Stephen A. McCreery, J. Page Hopkins, Richard H. Cowman, James K. Harwood, and W. Brenton Boggs; and

Resolved, That the Senate advise and consent to the promotion and appointment of the said persons in the Navy of the United States, agreeably to their nominations respectively.

TUESDAY, DECEMBER 28, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate James H. Veazie to be collector of the customs for the district and inspector of the revenue for the port of Natchez, in the State of Mississippi, in the place of Charles R. Bailey, resigned.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, December 17, 1852.*

To the Senate of the United States:

I nominate Benjamin D. Heriot to be Navy agent for the port of Charleston, South Carolina, for four years, his former commission having expired.

Thomas A. Adams to be Navy agent for the port of New Orleans for four years.

MILLARD FILLMORE.

WASHINGTON, *Dec. 21, 1852.*

To the Senate of the United States:

I nominate Dudley S. Gregory, of New Jersey, to be commissioner of customs, in the place of Charles W. Rockwell, resigned.

MILLARD FILLMORE.

WASHINGTON, *December 23, 1852.*

The messages were read.

Ordered, That the nomination of James H. Veazie be referred to the Committee on Commerce.

Ordered, That the nominations of Benjamin D. Heriot and Thomas A. Adams be referred to the Committee on Naval Affairs.

On motion by Mr. Davis,

The Senate, by unanimous consent, proceeded to consider the nomination of Dudley S. Gregory; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Butler, from the Committee on the Judiciary, to whom were referred, the 9th instant, the nominations of John Ambler, Hiram H. Baber, John D. Coalter, and Thomas D. Condy, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Felch, from the Committee on Public Lands, to whom were referred, the 9th instant, the nominations of John Wilson and E. A. Cabell, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Hamlin, from the Committee on Commerce, to whom were referred, the 9th instant, the nominations of Hector C. Ames, William R. Smith, Frederick L. Henop, James Murray, Alfred Guthrie, William A. Bird, and Charles W. Copeland, and on the 15th instant that of Richard B. Jones, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 9th instant, the nomination of Beverly C. Sanders, reported.

THURSDAY, DECEMBER 30, 1852.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate William Henry Trescot, of South Carolina, to be secretary of the legation of the United States at London, in the place of I. C. B. Davis, resigned.

MILLARD FILLMORE.

WASHINGTON, *December 29, 1852.*

To the Senate of the United States :

I nominate Daniel A. Farley, of Indiana, to be register of the land office for the district of lands subject to sale at Winamac, in the State of Indiana, in the place of Daniel Sigler, resigned ; and

Lambert I. Reardon, of Arkansas, to be register of the land office for the district of lands subject to sale at Little Rock, in the State of Arkansas, from and after the 15th of January, 1853, in place of William W. Adams, who has resigned, to take effect from that date.

MILLARD FILLMORE.

EXECUTIVE OFFICE, *Washington, December 30, 1852.*

The messages were read.

Ordered, That the nominations of Daniel A. Farley and Lambert I. Reardon be referred to the Committee on Public Lands.

On motion by Mr. Butler,

The Senate, by unanimous consent, proceeded to consider the nomination of William Henry Trescott ; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Rusk, from the Committee on the Post Office and Post-Roads, to whom was referred, the 15th instant, the nomination of Thomas Coggeshall, jr., reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 28th instant, the nomination of James H. Veazie, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Gwin submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the President of the United States be requested to cause to be communicated to the Senate as early as practicable a copy of the last quarterly accounts of receipts and expenditures of Thomas B. King, esq., late collector of the customs at San Francisco; and likewise of the adjustment thereof, if any, at the Treasury; and also of all the letters or communications to the President, or to the Treasury, or other Departments making complaints or charges against said King as such officer or while in said office; also a copy of the letters of said King relinquishing or resigning his said office prospectively, conditionally or otherwise, and of the notification of the acceptance thereof.

Ordered, That the Secretary lay the said resolution before the President of the United States.

MONDAY, JANUARY 10, 1853.

The following messages were received from the President of the United States by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate John C. Cash to be a first lieutenant in the Marine Corps, from the 21st of September, 1852, to fill a vacancy occasioned by the dismissal of First Lieutenant John S. Devlin.

George Adams to be a first lieutenant in the Marine Corps, from the 14th of November, 1852, to fill a vacancy occasioned by the death of First Lieutenant Robert C. Caldwell.

George W. Campbell, of New York, to be a second lieutenant in the Marine Corps, from the 14th of October, 1852, to fill the vacancy occasioned by the promotion of Second Lieutenant John C. Cash.

Robert Lewright Browning, of Ohio, to be a second lieutenant in the Marine Corps, from the 24th of November, 1852, to fill the vacancy occasioned by the promotion of Second Lieutenant George Adams.

MILLARD FILLMORE.

WASHINGTON, *December 29*, 1852.

To the Senate of the United States:

I nominate Diederick Kohlsaas to be consul of the United States for the port of Altona, in the Kingdom of Denmark, in the place of Anthony Ott, resigned.

MILLARD FILLMORE.

WASHINGTON, *Dec'r 30*, 1852.

To the Senate of the United States:

I nominate Edward Jones, of Maryland, to be a second lieutenant in the Marine Corps, to fill a vacancy occasioned by the resignation of Second Lieutenant George F. Linsay, jr.

MILLARD FILLMORE.

WASHINGTON, *December 31*, 1852.

To the Senate of the United States :

I nominate George E. Badger, of North Carolina, to be Associate Justice of the Supreme Court of the United States, in the place of John McKinley, deceased.

MILLARD FILLMORE.

WASHINGTON, *January 3, 1853.*

To the Senate of the United States :

I nominate William Leach Giro to be consul of the United States at Alicante, in Spain.

MILLARD FILLMORE.

WASHINGTON, *January 4, 1853.*

To the Senate of the United States :

I nominate William L. Nichol, of Tennessee, and John C. Coleman, of Virginia, to be assistant surgeons in the Navy, from the 28th of June, 1852, to fill vacancies occasioned by the promotion of Passed Assistant Surgeon William B. Sinclair and the resignation of Assistant Surgeon O. J. Wister.

MILLARD FILLMORE.

WASHINGTON, *January 4, 1853.*

NAVY DEPARTMENT, *January 4, 1853.*

SIR: I have to submit to you a nomination of William L. Nichol, of Tennessee, and John C. Coleman, of Virginia, to be assistant surgeons in the Navy, from the 28th of June, 1852.

These gentlemen were nominated during the last session of the Senate to fill vacancies, but their nominations were not acted on. Other assistant surgeons, who were before the Senate at the same time, were confirmed on the 28th of June, 1852, and were commissioned from that date.

Early in the present session Drs. Nichol and Coleman were renominated and were confirmed by the Senate on the 21st of December, but as no time was mentioned in their nominations from which they should take date as assistant surgeons their commissions, if issued, would have to date from the 21st of December, the day of their confirmation. This would throw them below assistant surgeons who were commissioned in the recess and since confirmed by the Senate, although they passed their examination for admission into the Navy above them and were nominated previously to them. To correct this a new nomination is submitted, giving to Drs. Nichols and Coleman the date of the assistant surgeons who were before the Senate at the time they were, and who were confirmed and commissioned on the 28th of June, 1852.

I am, very respectfully, your ob't ser't,

JOHN P. KENNEDY.

The PRESIDENT.

To the Senate of the United States :

I nominate Thomas T. Craven, now a lieutenant, to be a commander in the Navy, from the 16th of December, 1852, to fill a vacancy occasioned by the death of Commander John M. Dale.

Andrew H. Foote, now a lieutenant, to be a commander in the Navy, from the 19th of December, 1852, to fill a vacancy occasioned by the resignation of Commander William L. Howard.

Miles K. Warrington, now a master in the line of promotion, to be a lieutenant in the Navy, from the 16th of December, 1852, to fill the vacancy occasioned by the promotion of Lieutenant Thomas T. Craven.

Henry K. Davenport, now a master in the line of promotion, to be a lieutenant in the Navy, from the 19th of December, 1852, to fill the vacancy occasioned by the promotion of Lieutenant Andrew H. Foote.

MILLARD FILLMORE.

WASHINGTON, *January 4, 1853.*

To the Senate of the United States :

I nominate the following persons to be deputy postmasters at the post-offices hereinafter named :

William D. Marast, at Tuscaloosa, Alabama, from the 8th day of January, 1853, when his previous commission will expire.

Reuben A. Thom, at Fredericksburg, Virginia, from the 3d instant, when his present commission expired.

John McRae, at Fayetteville, N. Carolina, from the 19th January, 1853, when his present commission will expire.

George Russell, at Salem, Massachusetts, from the 19th of January, 1853, when his present commission will expire.*

Charles Giles, at Belfast, Maine, whose commissions for the year ending the 30th of June last exceeded one thousand dollars.

Winslow Bates, at Eastport, Maine, whose commissions for the year ending the 30th of June last exceeded one thousand dollars.

Wyman Woyt, at Charlottesville, Virginia, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

William McNulty, at Georgetown, S. Carolina, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

Thomas Perry, at Rome, Georgia, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

Benjamin Johnson, at Austin, Texas, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

John Bowen, at San Antonio, Texas, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

Samuel H. Alden, at Janesville, Wisconsin, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

George H. Plummer, at East Boston, Massachusetts, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

Frederick Knapp, at New Britain, Connecticut, his commissions for the year ending 30th of June 1853 having exceeded one thousand dollars.

William H. Romeyr, at Kingston, New York, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

William N. Cole, at Lyons, New York, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

Thomas Ninde, at Palmyra, N. York, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

Mrs. Mary Berard, at West Point, New York, whose commissions for the year ending the 30th of June last having exceeded one thousand dollars.

John H. Stanly, at Le Roy, New York, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

Guilford G. Claiborne, at Columbia, Pennsylvania, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

Frederick A. Wheeler, at Marietta, Ohio, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

Henry Clay Landis, at Pequa, Ohio, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

James A. Dyer, at Jackson, Michigan, his commissions for the year ending the 30th of June last having exceeded one thousand dollars.

Stewart Eakin at Fort Wayne, Indiana, in place of Samuel Stophlot, resigned.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *January 5, 1853.*

To the Senate of the United States :

I nominate the following persons to be deputy postmasters at the post-offices hereinafter named :

John P. Leigh, at Norfolk, Virginia, in place of Philip I. Cohen, deceased.

William E. Bass, at Petersburg, Virginia, in place of Robert Birchett, deceased.

James N. Russell, at Indianapolis, Indiana, vice A. W. Russell, deceased.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *January 7, 1853.*

To the Senate of the United States :

I nominate Thomas C. Donn to be justice of the peace for Washington County, District of Columbia, from the 25th instant, when his present commission will expire.

MILLARD FILLMORE.

WASHINGTON, *January 7, 1853.*

The messages were read.

Ordered, That the nominations for promotion and appointment in the Navy and Marine Corps be referred to the Committee on Naval Affairs.

Ordered, That the nominations of consuls be referred to the Committee on Commerce.

Ordered, That the nominations of deputy postmasters be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nomination of Thomas C. Donn be referred to the Committee on the District of Columbia.

Mr. Cass submitted the following resolution for consideration :

Resolved, That the injunction of secrecy be removed from the proceedings of the Senate on the convention between the United States of America and Her Britannic Majesty, concluded at Washington the 19th day of April, A. D. 1850, and from the message and correspondence communicated therewith and from the debates relating thereto.

TUESDAY, JANUARY 11, 1853.

The Senate proceeded to consider the resolution submitted yesterday by Mr. Cass, to remove the injunction of secrecy from convention with her Britannic Majesty of the 19th April, 1850, the correspondence, and debates ; and,

After debate,

On the question to agree thereto,

It was determined in the affirmative,	{ Yeas.....	25
	{ Nays.....	21

On motion by Mr. Walker,

The yeas and nays being desired by one-fifth of the Senators present,

Those who voted in the affirmative are,

Messrs. Atchison, Bayard, Bell, Borland, Butler, Cass, Chase, Clarke, Davis, Dodge of Wisconsin, Dodge of Iowa, Douglas, Downs, Hamlin, Houston, Mangum, Mason, Morton, Norris, Rusk, Shields, Soulé, Spruance, Sumner, Wade.

Those who voted in the negative are,

Messrs. Adams, Bradbury, Bright, Brodhead, Brooke, Cathcart, Charlton, De Saussure, Dixon, Fish, Foot, Geyer, Gwin, Hale, Mallory, Miller, Sebastian, Seward, Smith, Underwood, Walker.

So the resolution was agreed to.

Mr. Shields submitted the following resolution; which was considered, by unanimous consent, and agreed to:

Resolved, That the Secretary of War be requested to transmit to the Senate in executive session the correspondence of Mr. Schaumburg with the Secretary of War in relation to his claims to continuance as an officer in the Army of the United States.

FRIDAY, JANUARY 14, 1853.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate John B. Montgomery, now a commander, to be a captain in the Navy, from the 6th of January, 1853, to fill the vacancy occasioned by the death of Commander Charles W. Morgan.

William W. Hunter, now a lieutenant, to be a commander in the Navy, from the 6th of January, 1853, to fill the vacancy occasioned by the promotion of Commander Montgomery.

Napoleon B. Harrison, now a master in the line of promotion, to be a lieutenant in the Navy, from the 6th of January, 1853, to fill the vacancy occasioned by the promotion of Lieutenant Hunter.

MILLARD FILLMORE.

WASHINGTON, *January 11, 1853.*

To the Senate of the United States:

I nominate Alexander I. Mitchell, of Kentucky, to be a purser in the Navy, to fill a vacancy occasioned by the resignation of Purser L. T. Waller.

MILLARD FILLMORE.

WASHINGTON, *January 12, 1853.*

To the Senate of the United States:

I nominate Thomas Trenor to be consul of the United States at Valencia, in Spain.

MILLARD FILLMORE.

WASHINGTON, *January 12, 1853.*

To the Senate of the United States :

I nominate Nimrod E. Benson, whose term of office expires this day, for reappointment as receiver of public moneys at Montgomery, Alabama.

MILLARD FILLMORE.

EXECUTIVE OFFICE, *Washington, January 12, 1853.*

To the Senate of the United States :

I nominate Don Alonzo Spaulding to be surveyor-general of the public lands in Illinois and Missouri, vice M. L. Clark, resigned.

MILLARD FILLMORE.

EXECUTIVE OFFICE, *Washington, January 12, 1853.*

To the Senate of the United States :

I nominate Virgil Whitney to be deputy postmaster at Binghamton, New York, vice Franklin Whitney, resigned; and

Lewis P. Close to be deputy postmaster at Saratoga Springs, New York, vice Samuel Pitkin, resigned.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *January 13, 1853.*

To the Senate of the United States :

In pursuance of the 11th article of the treaty with the Chickasaw Indians, signed on the twentieth day of October, 1832, I herewith transmit a recommendation from the Secretary of the Treasury for the investment of a portion of the funds belonging to said nation, for the purpose of obtaining the advice and consent of the Senate to make the investment as therein recommended.

MILLARD FILLMORE.

WASHINGTON, *January 12, 1853.*

The messages were read.

Ordered, That the nominations for promotion and appointment in the Navy be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Thomas Trenor be referred to the Committee on Commerce.

Ordered, That the nominations of Nimrod E. Benson and Don Alonzo Spaulding be referred to the Committee on Public Lands.

Ordered, That the nominations of Virgil Whitney and Lewis P. Close be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the message relating to the investment of the Chickasaw funds be referred to the Committee on Indian Affairs.

Mr. James, from the Committee on Patents and the Patent-Office, to whom were referred, the 9th December, the nomination of Silas H. Hodges, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Rusk, from the Committee on the Post Office and Post-Roads, to whom was this day referred the nomination of Virgil Whitney, reported.

On motion by Mr. Rusk,

The Senate, by unanimous consent, proceeded to consider the said nomination; and

Resolved, That the Senate advise and consent to the appointment of Virgil Whitney, agreeably to the nomination.

On motion by Mr. Clarke,
The Senate proceeded to consider the nomination of George E. Badger;
and
After debate,
On motion by Mr. Butler,
The Senate adjourned.

MONDAY, JANUARY 17, 1853.

The Senate proceeded to consider the nomination of Beverly C. Sanders; and
Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

TUESDAY, JANUARY 20, 1853.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States :

I nominate G. W. Lippitt, of Rhode Island, to be consul of the United States at Vienna, in the place of J. G. Schwarz, removed.

MILLARD FILLMORE.

WASHINGTON, *January 17, 1853.*

To the Senate of the United States :

I nominate Alton R. Easton to be assistant treasurer of the United States at St. Louis, Missouri, in the place of Henry S. Turner, resigned.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, January 17, 1853.*

To the Senate :

An error in the name having occurred in my former message nominating Reuben A. Thom for deputy postmaster at Fredericksburg, in the State of Virginia, I hereby withdraw that nomination and nominate instead Reuben T. Thom for the same office.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *January 17, 1853.*

To the Senate of the United States :

I nominate Ephraim F. Miller to be collector of the customs for the district of Salem and Beverly, in the State of Massachusetts, from the 26th of January, 1853, when his present commission will expire.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, January 18, 1853.*

To the Senate of the United States :

I nominate Edgar H. Bates and James Lawrenson to be justices of the peace of the county of Washington, in the District of Columbia.

MILLARD FILLMORE.

WASHINGTON, *January 19, 1853.*

To the Senate of the United States :

I nominate Thomas R. Welch, of Arkansas, to be receiver of public moneys at Helena, Arkansas, vice W. H. Ringo, deceased.

MILLARD FILLMORE.

EXECUTIVE OFFICE, *Washington, January 19, 1853.*

The messages were read.

Ordered, That the nomination of G. W. Lippitt and Ephraim F. Miller be referred to the Committee on Commerce.

Ordered, That the nomination of Alton R. Easton be referred to the Committee on Finance.

Ordered, That the nomination of Reuben T. Thom be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the nominations of Edgar H. Bates and James Lawrenson be referred to the Committee on the District of Columbia.

Ordered, That the nomination of Thomas R. Welch be referred to the Committee on Public Lands.

Mr. Shields, from the Committee on the District of Columbia, to whom was referred, the 10th instant, the nomination of Thomas C. Donn, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Gwin, from the Committee on Naval Affairs, to whom were referred, the 10th instant, the nominations of John C. Cash, George Adams, George W. Campbell, Robert Lewright Browning, Edward Jones, William L. Nichol, John C. Coleman, Thomas T. Craven, Andrew H. Foote, Miles K. Warrington, and Henry K. Davenport, and on the 14th instant those of John B. Montgomery, William W. Hunter, Napoleon B. Harrison, and Alexander I. Mitchell, reported.

Whereupon

Resolved, That the Senate advise and consent to the promotion and appointment of the said persons, agreeably to their nominations respectively.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 10th instant, the nominations of William Leach Giro and Diederich Kohlsaas, and on the 14th instant that of Thomas Trenor, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 9th December last, the nomination of Thomas M. Foote, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

On motion by Mr. Clarke that the Senate proceed to consider the nomination of George E. Badger,

After debate,

On motion by Mr. Weller,
The Senate adjourned.

FRIDAY, JANUARY 21, 1853.

Mr. Davis, from the Committee on Commerce, to whom was referred, the 20th instant, the nomination of Ephraim F. Miller, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hunter, from the Committee on Finance, to whom was referred, the 20th instant, the nomination of Alton R. Easton, reported.

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hamlin, from the Committee on Commerce, to whom was referred, the 20th instant, the nomination of G. W. Lippitt, reported.

On motion by Mr. Pearce that the Senate proceed at 1 o'clock on Monday next to consider the nomination of George A. Badger,

After debate,

On motion by Mr. Weller,

The Senate adjourned.

MONDAY, JANUARY 24, 1853.

The motion submitted by Mr. Pearce the 21st instant having been withdrawn,

On motion by Mr. Bright that the further consideration of the nomination of George E. Badger be postponed until the 4th of March next,

After debate,

On motion by Mr. Downs that the Senate adjourn,

It was determined in the affirmative, { Yeas 26
Nays 25

On motion by Mr. Weller,

The yeas and nays being desired by one-fifth of the Senators present, Those who voted in the affirmative are,

Messrs. Adams, Atchison, Bradbury, Butler, Cass, Charlton, De Sausure, Dodge of Wisconsin, Dodge of Iowa, Downs, Felch, Fitzpatrick, Gwin, Hamlin, Houston, Hunter, James, Jones of Iowa, Mason, Norris, Pettit, Sebastian, Soulé, Stockton, Toucey, Weller.

Those who voted in the negative are,

Messrs. Bell, Bright, Brooke, Chase, Clarke, Cooper, Davis, Dawson, Dixon, Fish, Geyer, Jones of Tennessee, Mangum, Miller, Morton, Pearce, Phelps, Rusk, Seward, Smith, Spruance, Sumner, Underwood, Wade, Walker.

So the Senate adjourned.

MONDAY, FEBRUARY 7, 1853.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate John L. Barnard to be register of the land office at Lebanon, Alabama, in the place of Sampson Layton, resigned; and

Obadiah W. Ward to be receiver of public moneys at Lebanon, Alabama, in the place of Peter J. Walker, resigned.

MILLARD FILLMORE.

EXECUTIVE OFFICE, Washington, January 21, 1853.

To the Senate of the United States :

I nominate Jacamiah Seaman, whose term of office expires on the 28th day of February next, for reappointment as register of the land office at Milan, Missouri.

MILLARD FILLMORE.

EXECUTIVE OFFICE, *Washington, January 21, 1853.*

To the Senate of the United States :

I nominate Charles H. Wiltberger to be justice of the peace for Washington County, District of Columbia, from the 25th instant, when his present commission will expire.

MILLARD FILLMORE.

WASHINGTON, *Jan'y 24, 1853.*

To the Senate of the United States :

I nominate for reappointment William Maxwell as surveyor and inspector of the revenue for the port of Sunbury, in the State of Georgia, whose commission expired on the 13th of the present month; and Benjamin Stiles as surveyor and inspector of the revenue for the port of Hardwicke, in the State of Georgia, whose commission expired on the 13th of the present month.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, January 25, 1853.*

To the Senate of the United States :

I nominate Philip H. Pendleton to be surveyor and inspector of the revenue for the port of Port Royal, in the State of Virginia, in the place of William Gray, deceased.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, January 26th, 1853.*

To the Senate of the United States :

I nominate Abner L. Gilstrap, of Missouri, for reappointment as receiver of public moneys for the district of lands subject to sale at Milan, in the State of Missouri, from and after the 28th of February next, when his present commission expires.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *Washington, January 26th, 1853.*

To the Senate of the United States :

I nominate James H. Moore, a master in the line of promotion, to be a lieutenant in the Navy, from the 7th of January, 1853, to fill a vacancy occasioned by the death of Lieutenant Courtlandt Benham.

MILLARD FILLMORE.

WASHINGTON, *January 28, 1853.*

To the Senate of the United States :

I nominate John P. Sanderson to be associate justice of the supreme court for the Territory of Oregon, in the place of Charles R. Train, resigned.

MILLARD FILLMORE.

WASHINGTON, *January 28, 1853.*

To the Senate of the United States :

I nominate Allan P. Millar to be marshal of the United States for the Territory of Oregon, in the place of Joseph L. Meek, whose commission expired on the 14th of last August.

MILLARD FILLMORE.

WASHINGTON, *January 28, 1853.*

To the Senate of the United States :

I nominate Elbridge Gerry Fuller, of New York, to be consul of the United States for the port of Halifax, in Nova Scotia.

MILLARD FILLMORE.

WASHINGTON, *January 28, 1853.*

To the Senate of the United States :

I nominate Alexander Barclay to be consul of the United States at Gottenburg, in the Kingdom of Sweden.

MILLARD FILLMORE.

WASHINGTON, *January 28, 1853.*

To the Senate of the United States :

I nominate the officers named in the accompanying list for regular promotion in the Army of the United States, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *January 24, 1853.*

WAR DEPARTMENT, *January 24, 1853.*

SIR: I have the honor to lay before you the annexed list of officers for regular promotion in the Army of the United States :

First Regiment of Infantry.

First Lieutenant Joseph B. Plummer to be captain, May 1, 1852, vice La Motte, promoted major in the Fifth Regiment of Infantry.

Second Lieutenant Andrew G. Miller to be first lieutenant, May 1, 1852, vice Plummer, promoted.

Second Lieutenant Daniel Houston, jr., to be first lieutenant, December 31, 1852, vice Brewerton, resigned.

Brevet Second Lieutenant James B. Greene to be second lieutenant, May 1, 1852, vice Miller, promoted.

Brevet Second Lieutenant Charles R. Woods to be second lieutenant, July 31, 1852, vice Alvord, resigned.

Brevet Second Lieutenant Peter T. Swaine, to be second lieutenant, December 31, 1852, vice Houston, promoted.

Second Regiment of Infantry.

Captain Hannibal Day to be major, February 23, 1853, vice Seawell, promoted lieutenant-colonel of the Eighth Regiment of Infantry.

Captain William R. Montgomery, of the Eighth Regiment of Infantry, to be major, December 7, 1852, vice Miller, deceased.

First Lieutenant Alfred Sully to be captain, February 23, 1852, vice Day, promoted.

Second Lieutenant George H. Paige to be first lieutenant, February 23, 1852, vice Sully, promoted.

Brevet Second Lieutenant Adolphus F. Bond to be second lieutenant, February 23, 1852, vice Paige, promoted.

Fifth Regiment of Infantry.

Captain Joseph H. La Motte, of the First Regiment of Infantry, to be major, May 1, 1852, vice Abercrombie, promoted lieutenant-colonel of the Second Regiment of Infantry.

Eighth Regiment of Infantry.

First Lieutenant James Longstreet to be captain, December 7, 1852, vice Montgomery, promoted major in the Second Regiment of Infantry.

Second Lieutenant Horace Haldeman to be first lieutenant, September 13, 1852, vice Street, deceased.

Second Lieutenant Theodore Fink to be first lieutenant, December 7, 1852, vice Longstreet, promoted.

Brevet Second Lieutenant Robert G. Cole to be second lieutenant, May 25, 1852, vice Bold, deceased.

Brevet Second Lieutenant Frederick M. Follette to be second lieutenant, September 13, 1852, vice Haldeman, promoted.

Brevet Second Lieutenant Melancthon Smith to be second lieutenant, December 7, 1852, vice Fink, promoted.

I am, sir, with great respect, your ob't serv't,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States :

I nominate Anthony W. Carpenter to be surveyor and inspector of the revenue for the port of Burlington, in the State of Iowa ;

Prior Nance to be surveyor and inspector of the revenue for the port of Knoxville, in the State of Tennessee ;

I. G. Lamb to be surveyor and inspector of the revenue for the port of Alton, in the State of Illinois ; and

John G. Potts to be surveyor and inspector of the revenue for the port of Galena, in the State of Illinois.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, January 31, 1853.*

To the Senate of the United States :

I nominate George W. Wright to be treasurer of the branch mint at San Francisco, in the State of California.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, Feb. 1, 1853.*

To the Senate of the United States :

I nominate the officers named in the accompanying list for regular promotion in the Army of the United States, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *February 1, 1853.*

WAR DEPARTMENT, *February 1, 1853.*

SIR: I have the honor to lay before you the following list of officers for regular promotion in the Army of the United States:

First Regiment of Dragoons.

Second Lieutenant Orren Chapman to be first lieutenant, February 1, 1853, vice Love, resigned.

Brevet Second Lieutenant Robert Johnston to be second lieutenant, February 1, 1853, vice Chapman, promoted.

Regiment of Mounted Riflemen.

Second Lieutenant Dabney H. Maury to be first lieutenant, January 27, 1853, vice Hawkins, dismissed.

Brevet Second Lieutenant Joseph G. Tilford to be second lieutenant, January 27, 1853, vice Maury, promoted.

Sixth Regiment of Infantry.

Captain Albemarle Cady to be major, January 27, 1853, vice Kingsbury, dismissed.

First Lieutenant Thomas Hendrickson to be captain, January 27, 1853, vice Cady, promoted.

Second Lieutenant Winfield S. Hancock to be first lieutenant, January 27, 1853, vice Hendrickson, promoted.

Brevet Second Lieutenant Robert E. Patterson to be second lieutenant, January 27, 1853, vice Hancock, promoted.

I am, sir, with great respect, your ob't servant,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I nominate William H. Shock to be a chief engineer in the Navy, from the 16th of September, 1852, to fill a vacancy.

James W. King to be a chief engineer in the Navy, from the 12th of November, 1852, to fill a vacancy.

MILLARD FILLMORE.

WASHINGTON, *February 1, 1853.*

To the Senate of the United States:

I nominate Cary H. Fry, of Kentucky, to be a paymaster in the Army, to fill a vacancy occasioned by the death of Paymaster David S. Townsend.

MILLARD FILLMORE.

WASHINGTON, *February 2, 1853.*

To the Senate of the United States:

I nominate Joseph M. Moore, of Opelousas, to be district attorney of the United States for the western district of Louisiana, in the place of Lawrence P. Crane, resigned.

MILLARD FILLMORE.

WASHINGTON, *February 3, 1853.*

To the Senate of the United States :

I transmit herewith to the Senate, in a new draft, the convention with the Swiss Confederation, originally negotiated at Berne, and concluded in that city on the 25th of November, 1850. On the 7th of March, 1851, it was considered by the Senate of the United States, whose assent was given to it with certain amendments, as will appear from the Journal of the Senate of that day. The convention was sent back to Switzerland with these alterations, which were taken into consideration by the Government of that Confederation, whose action in the premises will be learned by a letter from its President of the 5th of July, 1852.

The modifications which the Government of the Swiss Confederation are desirous of introducing into the amendments made by the Senate of the United States and the articles affected by them are not inconsistent with the object and spirit of those amendments, and appear to me to proceed upon a reasonable principle of compromise.

I have thought it expedient, in submitting them to the Senate, with a view to their advice and consent to the ratification of the treaty in its present form, to have the entire instrument taken into a continuous draft, as well the portions—by far the greater part—already assented to by the Senate, as the modifications proposed by the Government of the Swiss Confederation in reference to these amendments. In preparing the new draft a few slight alterations have been made in the modifications proposed by the Swiss Government.

Should the convention receive the approbation of the Senate in its present form, it will be immediately transmitted to Switzerland for ratification by the Swiss Confederation.

The delays which have taken place in the negotiation of this treaty have been principally caused by the want of a resident diplomatic agent of the United States at Berne, and are among the reasons for which an appropriation for a chargé d'affaires to that Government has recently by my direction been recommended in a letter from the Department of State to the chairman of the Committee on Foreign Relations of the Senate.

MILLARD FILLMORE.

WASHINGTON, *February* 3, 1853.

The messages were read.

Ordered, That the nominations of Jacamiah Seaman and Abner L. Gilstrap be referred to the Committee on Public Lands.

Ordered, That the nomination of Charles H. Wiltberger be referred to the Committee on the District of Columbia.

Ordered, That the nominations of John P. Sanderson, Allan P. Millar, and Joseph M. Moore be referred to the Committee on the Judiciary.

Ordered, That the nominations of Elbridge Gerry Fuller, Alexander Barclay, Anthony W. Carpenter, Prior Nance, I. G. Lamb, and John G. Potts be referred to the Committee on Commerce.

Ordered, That the nominations of Joseph B. Plummer and others, and Orren Chapman and others, for promotion and appointment in the Army be referred to the Committee on Military Affairs.

Ordered, That the nomination of George W. Wright be referred to the Committee on Finance.

Ordered, That the nominations of William H. Shock and James W. King be referred to the Committee on Naval Affairs.

The Senate, by unanimous consent, proceeded to consider the nominations of John L. Barnard, Obadiah W. Ward, William Maxwell, Ben-

jamin Stiles, Philip H. Pendleton, James H. Moore, and Cary H. Fry; and

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The new draft of the general convention of friendship, reciprocal establishments, commerce, and for the surrender of fugitive criminals between the United States of America and the Swiss Confederation, concluded at the city of Berne the 25th of November, 1850, was read the first time; and

3 *Ordered*, That the same, together with the message and documents communicated therewith, be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Rusk, from the Committee on the Post-Office and Post Roads, to whom were referred, the 10th January, the nominations of Reuben T. Thom, George Russell, John P. Leigh, and William E. Boss, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to the nominations respectively.

Mr. Felch, from the Committee on Public Lands, to whom were referred, the 14th January, the nominations of Nimrod E. Benson and Don Elonzo Spaulding, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to the nominations respectively.

Mr. Hunter, from the Committee on Finance, to whom was referred, the 9th December last, the nomination of George F. Comstock, reported

Whereupon

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Dawson, from the Committee on Military Affairs, to whom were referred, the 9th December last, the nominations of John B. Grayson and others for promotion and appointment in the Army of the United States, reported all except Samuel McManemy.

Mr. Gwin, from the Committee on Finance, to whom was this day referred the nomination of George W. Wright, reported.

The Senate proceeded to consider the nomination of George E. Badger; and

The motion submitted by Mr. Bright the 24th January having been withdrawn, by unanimous consent,

On motion by Mr. Bright,

Ordered, That the further consideration of the nomination of George E. Badger be postponed to and made the order of the day for Friday next, the 11th instant, at one o'clock p. m.

FRIDAY, FEBRUARY 11, 1853.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary:

To the Senate of the United States:

I nominate John Randolph Clay, of Pennsylvania, to be envoy extraordinary and minister plenipotentiary of the United States to Peru.

MILLARD FILLMORE.

WASHINGTON, February 7, 1853.

To the Senate of the United States:

I nominate Theodore S. Fay, of New York, to be chargé d'affaires of the United States to the Swiss Confederation.

MILLARD FILLMORE.

WASHINGTON, *February 7, 1853.*

To the Senate of the United States:

I nominate Willim T. Vickers to be collector of the customs for the district and inspector of the revenue for the port of Vienna, in the State of Maryland, in the place of Hooper C. Hicks, resigned.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, February 8, 1853.*

To the Senate of the United States:

I nominate James M. Wright to be a justice of the peace for Washington County, in the District of Columbia.

MILLARD FILLMORE.

WASHINGTON, *February 9, 1853.*

To the Senate of the United States:

I hereby nominate the Reverend Dennis Powers for chaplain in the Navy, in place of the Reverend Orville Dewey, resigned.

MILLARD FILLMORE.

WASHINGTON, *February 10, 1853.*

To the Senate of the United States:

I nominate John M. Brodhead to be Second Comptroller of the Treasury, in the place of Edward I. Phelps, resigned.

MILLARD FILLMORE.

EXECUTIVE MANSION, *Washington, February 10, 1853.*

The messages were read.

Ordered, That the nominations of John Randolph Clay and Theodore S. Fay be referred to the Committee on Foreign Relations.

Ordered, That the nomination of William T. Vickers be referred to the Committee on Commerce.

Ordered, That the nomination of James M. Wright be referred to the Committee on the District of Columbia.

Ordered, That the nomination of Dennis Powers be referred to the Committee on Naval Affairs.

The Senate, by unanimous consent, proceeded to consider the nomination of John M. Brodhead; and

Resolved, That the Senate advise and consent to his appointment, agreeably to the nomination.

Mr. Hamlin, from the Committee on Commerce, to whom were referred, the 7th instant, the nomination of Anthony W. Carpenter and Prior Nance, reported.

Whereupon

Resolved, That the Senate advise and consent to the appointment of the said persons, agreeably to their nominations respectively.

The Senate resumed the consideration of the nomination of George E. Badger; and

On motion by Mr Fitzpatrick that the further consideration of the nomination of George E. Badger be postponed to the 4th of March next,

It was determined in the affirmative, { Yeas 26
Nays 25

On motion by Mr. Fitzpatrick,

The yeas and nays being desired by one-fifth of the Senators present,
Those who voted in the affirmative are,

Messrs. Adams, Bayard, Bradbury, Bright, Butler, Cass, Charlton, De Saussure, Dodge of Wisconsin, Dodge of Iowa, Downs, Felch, Fitzpatrick, Gwin, Hamlin, Houston, Hunter, James, Jones of Iowa, Mallory, Mason, Norris, Pettit, Soulé, Toucey, Weller.

Those who voted in the negative are,

Messrs. Bell, Brooke, Chase, Clarke, Cooper, Davis, Dawson, Fish, Foot, Geyer, Hale, Jones of Tennessee, Mangum, Miller, Morton, Phelps, Pratt, Rusk, Seward, Smith, Spruance, Sumner, Underwood, Wade, Walker.

So it was

Ordered, That the further consideration of the nomination of George E. Badger, of North Carolina, to be associate justice of the Supreme Court of the United States, in the place of John McKinley, deceased, be postponed to the 4th of March next.

On motion by Mr. Gwin,

The Senate proceeded to consider the nomination of George W. Wright.

On motion by Mr. Clarke that the further consideration of the nomination of George W. Wright be postponed to the 4th of March next,

After debate,

On motion by Mr. Cooper,

The Senate adjourned.

THURSDAY, FEBRUARY 17, 1853.

The following messages were received from the President of the United States, by Mr. Fillmore, his secretary :

To the Senate of the United States :

I nominate Amos S. York to be consul of the United States for the Island of Zante.

MILLARD FILLMORE.

WASHINGTON, *February* 16, 1853.

To the Senate of the United States :

I nominate Henry B. Dewey, of Philadelphia, to be consul of the United States at Para, in Brazil, in the place of Henry Lee Norris, resigned.

MILLARD FILLMORE.

WASHINGTON, *February* 16, 1853.

To the Senate of the United States :

I nominate D. H. Dovale to be consul of the United States for the port of Savanilla, in the Republic of New Granada.

MILLARD FILLMORE.

WASHINGTON, *February* 16, 1853.

To the Senate of the United States:

I nominate John Potts, of the District of Columbia, to be military storekeeper in the Ordnance Department, in the place of William C. Whitridge, resigned.

MILLARD FILLMORE.

WASHINGTON, *February* 16, 1853.

To the Senate of the United States:

I nominate the officers named in the accompanying communication for brevet promotion in the Army of the United States, and recommend that corrections be made in the brevet commissions therein specified, as proposed by the Secretary of War.

MILLARD FILLMORE.

WASHINGTON, *February* 14, 1853.

WAR DEPARTMENT, *Washington, February* 14, 1853.

SIR: I herewith transmit the names of several officers of the Army on whom I recommend that appointments by brevet be conferred.

The service in which the troops stationed in our remote frontier are engaged, while it is extremely arduous, full of privation, and not unattended with danger, rarely presents opportunities for personal distinction. The officers are, therefore, in a great measure deprived of the strongest incentive to exertion.

Justice, therefore, as well as policy, seems particularly to require in this service that whenever an officer has distinguished himself by his courage or his conduct the Government should acknowledge the service by an appropriate reward. I have, therefore, selected a few to whose merits the attention of the Department has been called as peculiarly deserving the notice of the Government, and recommend that they be promoted, by brevet, one grade above that held by them at the time the act or conduct for which it is conferred was performed.

I append to each name a note explanatory of the service for which the brevet is proposed to be conferred.

In the distribution of brevets consequent upon the Mexican war some errors were committed in conferring the distinction on officers for battles at which they were not even present.

Justice to the officers requires that these errors be corrected. I recommend, therefore, that in these cases the brevets be transferred to other battles in which these officers distinguished themselves. I herewith submit two corrections of this character.

Promotions by brevet.

1. Brevet Colonel Edwin V. Sumner, lieutenant-colonel First Dragoons, to be brigadier-general by brevet for highly meritorious services as commander of the forces in New Mexico, to date from October 29, 1852.

[NOTE.—Colonel Sumner, pursuant to assignment by the War Department, assumed the direction of affairs in New Mexico, July 19, 1851. The Territory was then in a very unsettled condition and the expenditures in every branch of the service enormous. Colonel Sumner immediately set about the work of reform, which he has continued to prosecute with untiring energy and the best results. By his judicious arrangements the military expenses of the department under his command have been greatly reduced, while, by the establishment of posts

in the Indian country and keeping troops constantly in motion between them, he has succeeded in restraining the Indians, to some extent, within their own boundaries, and thereby give additional security to the settlements.]

2. Brevet Major Samuel P. Heintzelman, captain of the 2d Regiment of Infantry, to be lieutenant colonel by brevet, for gallant conduct and distinguished services as commander of an expedition against the Indians in Southern California, to date from December 19, 1851.

[NOTE.—Brevet Brigadier-General Hitchcock, commanding the Pacific Division, in a communication dated January 20, 1852, strongly recommends Brevet Major Heintzelman's conduct on the above expedition to the favorable notice of the Government. He says: "I respectfully urge the magnitude of the results secured by Brevet Major Heintzelman's operations, which are believed to have prevented an extensive hostile combination of Indians, which might but for those operations have involved immense expenditures and great loss of life and property."]

3. Captain Howard Stansbury, of the Corps of Topographical Engineers, to be major by brevet, for highly distinguished services as chief of the scientific exploration and survey of the valley of the great Salt Lake of Utah, to date from March 10, 1852.

[NOTE.—It is unnecessary to recite the grounds of this brevet. Captain Stansbury's report to the chief of his corps, dated March 10, 1852, and which has been printed by order of the Senate, shows it to have been eminently deserved.]

4. Brevet Captain James Oakes, first lieutenant in the Second Regiment of Dragoons, to be major by brevet, for gallantry and good conduct in two affairs against the Indians in Texas, July 11 and August 12, 1850, to date from August 12, 1850.

[NOTE.—Brevet Lieutenant-Colonel Hardee, 2d Dragoons, under whose orders Brevet Captain Oakes was serving at the time, thus speaks of his conduct on the occasion above referred to: "The latter (Captain Oakes) met Indians twice; he is an officer full of zeal and intelligence and gallantry, and I would especially recommend him to the favorable consideration of the commanding general."]

5. Captain John W. Phelps, of the Fourth Regiment of Artillery, to be major by brevet, for highly meritorious services as commander of Fort Brown, on the Rio Grande, in preserving the neutral relations of the United States with the Republic of Mexico, to date from November 28, 1851.

[NOTE.—Captain Phelps's services are thus favorably noticed by Brevet Major-General Twiggs in his dispatch dated November 19, 1851: "After a very careful examination of the documents transmitted by Captain Phelps I feel it my duty to express a cordial approval of his course as commanding officer at Fort Brown, and my conviction that he has discharged the difficult and delicate duties devolved upon him at a critical moment, with advantage to the service and with great credit to himself and his subordinates."]

6. Second Lieutenant Ambrose E. Burnside, of the Third Regiment of Artillery (promoted first lieutenant December 12, 1851), to be first lieutenant by brevet, for gallant conduct in an affair against the Apache Indians, near Las Vegas, New Mexico, to date from August 16, 1849.

[NOTE.—Lieutenant Burnside's conduct on this occasion was highly applauded by the then commander in New Mexico, Brevet Colonel Munroe; and the general-in-chief, in submitting the reports of the affair to the War Department, says: "I cordially recommend that 2d Lieutenant

(now 1st Lieutenant) Burnside be breveted a first lieutenant, from the date of the gallant conduct set forth within.]

CORRECTIONS OF BREVET COMMISSIONS HERETOFORE CONFERRED.

1. The brevet of major conferred on Captain Benjamin S. Roberts, of the Regiment of Mounted Riflemen, for "gallant and meritorious conduct in the battle of Chapultepec, Mexico, September 13, 1847," be changed so as to apply to the battle of Contreras, in which he was distinguished, to date from August 20, 1847, and the brevet of lieutenant-colonel, erroneously conferred on him for actions in which he did not participate, viz, "for gallant and meritorious conduct with the enemy at Matamoros, November 23, 1847, and at the Pass of Galaxara, Mexico, November 24, 1847, to date from November 24, 1847, "to be changed so as to apply to the battle of Chapultepec, in which he was distinguished, and to embody the phraseology of his brevet commission of major (as above quoted) for that action.

2. The brevet of captain conferred on First Lieutenant Lewis G. Arnold, of the Second Regiment of Artillery, for "gallant and meritorious conduct in the battles of Contreras and Cherubusco, Mexico, August 20, 1847," to be changed so as to apply to the siege of Vera Cruz, in which he was distinguished and wounded, to date from March 29, 1847; and the brevet of major conferred on him for "gallant conduct at Chapultepec, to date from September 13th, 1847," in which action he was not present, being disabled by a wound received at Cherubusco, to be changed so as to apply to this last-named battle, in which he distinguished himself, to date from August 20, 1847.

Very respectfully, your ob't servant,

C. M. CONRAD,
Secretary of War.

To the PRESIDENT OF THE UNITED STATES.

To the Senate of the United States:

I herewith communicate to the Senate, for its consideration with a view to ratification, a convention on the subject of the extradition of fugitives from justice, between the United States and Belgium, concluded and signed in this city on the 11th instant by the respective plenipotentiaries.

MILLARD FILLMORE.

WASHINGTON, 14th February, 1853.

The messages were read.

Ordered, That the nominations of Amos S. York, Henry B. Dewey, and D. H. Dovale be referred to the Committee on Commerce.

Ordered, That the nomination of John Potts and the nominations and corrections of nominations for promotion by brevet be referred to the Committee on Military Affairs.

The treaty of extradition between the United States and Belgium, concluded at Washington the 11th of February, 1853, was read the first time; and,

On motion by Mr. Mason,

Ordered, That the treaty and message be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 15th December last, the convention for the mutual deliv-

ery of criminals, fugitives from justice, with Prussia and other States of the Germanic Confederation, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 15th December last, the additional article to the convention for the mutual delivery of criminals, fugitives from justice, with Prussia and other States of the Germanic Confederation, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 15th December last, the treaty of friendship, commerce, and navigation with the Oriental Republic of Urugua, reported it without amendment.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 15th December last, the message from the President of the United States, received the 13th August, 1852, in relation to the exchange of ratifications of the general convention with the Republic of San Salvador, reported the following preamble and resolution :

Whereas the time limited by the resolution of the Senate of the 27th September, 1850, for the exchange of the ratifications of the general convention of peace, amity, commerce, and navigation between the United States and the Republic of San Salvador, concluded at Leon, in Nicaragua, on the 2d of January, 1850, having expired before the said exchange of ratifications could be effected ; and the ratifications of the said general convention having been since exchanged, notwithstanding such limitation, but upon the condition that the said general convention is not to be binding upon either of the parties thereto, or to be published by either, until the Senate of the United States shall have duly sanctioned the exchange of ratifications aforesaid : Therefore,

Resolved (two thirds of the Senators present concurring), That the Senate advise and consent to the said exchange of ratifications of the general convention of peace, amity, commerce, and navigation between the United States and the Republic of San Salvador, concluded at Leon, in Nicaragua, on the 2d January, 1850, and the publication thereof, the limitations contained in the said general convention and in the resolution of the Senate of the 27th September, 1850, to the contrary notwithstanding.

Mr. Mason, from the Committee on Foreign Relations, to whom was referred, the 15th December last, the supplementary convention relative to commerce and navigation with His Majesty the King of the Netherlands, reported it without amendment.

The said supplementary convention was read the second time, and considered as in Committee of the Whole ; and no amendment being made thereto, it was reported to the Senate.

Mr. Mason submitted the following resolution for consideration :

Resolved (two-thirds of the Senators present concurring), That the Senate advise and consent to the ratification of the supplementary convention relative to commerce and navigation between the United States of America and His Majesty the King of the Netherlands, concluded at Washington, the 26th day of August, in the year of our Lord eighteen hundred and fifty-two.

The Senate, by unanimous consent, proceeded to consider the said resolution ; and on the question to agree thereto,

It was determined in the affirmative, { Yeas 34
Nays 5

Those who voted in the affirmative are,

Messrs. Adams, Atchison, Badger, Bell, Borland, Bradbury, Brooke, Cutler, Clarke, Cooper, Davis, Dawson, De Saussure, Dodge of Wis.

consin, Fish, Fitzpatrick, Geyer, Hamlin, Houston, Jones of Iowa, Mason, Miller, Norris, Pearce, Pettit, Rusk, Sebastian, Seward, Smith, Spruance, Sumner, Toucey, Underwood, Wade.

Those who voted in the negative are,

Messrs. Bright, Dodge of Iowa, Soulé, Walker, Weller.

So the resolution was agreed to.

Ordered That the Secretary lay the said resolution before the President of the United States.

Mr. Butler, from the Committee on the Judiciary, to whom were referred, the 7th instant, the nominations of John P. Sanderson, Allan P. Millar, and Joseph M. Moore, reported.

Mr. Hamlin, from the Committee on Commerce, to whom were referred, the 7th instant, the nominations of I. G. Lamb, John G. Potts, Elbridge Gerry Fuller, and Alexander Barclay, and on the 11th instant that of William T. Vickers, reported.

Mr. Sebastian, from the Committee on Indian Affairs, to whom was referred, the 14th January last, the message from the President of the United States relative to the investment of a portion of the funds belonging to the Chickasaw Indians, reported the following preamble and resolution :

Whereas the President of the United States by his message of the 14th of January last communicated a statement from the Secretary of the Treasury, showing that the Tennessee State bonds in which certain funds belonging to the Chickasaw Indians, amounting to \$125,000, were invested had been paid off by that State, for the purpose of obtaining the advice and consent of the Senate as to the reinvestment of the said funds; and whereas the second section of the act approved the 11th of September, 1841, entitled "An act to repeal a part of the 6th section of the act entitled an act to provide for the support of the Military Academy of the United States for the year 1838, and for other purposes," passed July 7th, 1838, requires that all funds held in trust by the United States shall be invested in stocks of the United States bearing a rate of interest not less than five per centum per annum; and whereas by the 11th article of the treaty with the Chickasaw Indians of the 20th of October, 1832, it is provided that the funds of the said Indians be laid out in safe and valuable stock under the direction of the President of the United States, by and with the advice and consent of the Senate: Therefore

Resolved, That the advice and consent of the Senate be, and the same hereby is, given to the investment of the aforesaid funds of the Chickasaw Indians, under the direction of the President of the United States, in such of the loans or stock of the United States as may be most advantageous to the interests of the said Indians for the time being.

The Senate, by unanimous consent, proceeded to consider the said preamble and resolution and agreed thereto.

Ordered, The Secretary lay the same before the President of the United States.

The President *pro tempore* laid before the Senate a report from the Secretary of War, communicating, in compliance with a resolution of the Senate of the 11th of January, the correspondence of James W. Schaumburg with that Department, which was read; and

Ordered, That it lie on the table.

The Senate resumed the consideration of the nomination of George W. Wright; and

Mr. Clarke having withdrawn the motion submitted by him on the 11th instant for the postponement of said nomination,

On motion by Mr. Weller that the further consideration of the nomination of George W. Wright be postponed to the 4th of March next,

After debate,

On motion by Mr. Badger,
The Senate adjourned.

THURSDAY, FEBRUARY 24, 1853.

The following messages were received from the President of the United States, by Mr. Fillmore, his Secretary :

To the Senate of the United States:

Regarding the resolution of the Senate postponing the nomination of George E. Badger for associate justice of the Supreme Court of the United States till the 4th of March next as equivalent to a rejection, I hereby nominate William C. Micon to be associate justice of the Supreme Court of the United States, to fill the vacancy occasioned by the death of John McKinley.

MILLARD FILLMORE.

WASHINGTON, *February 14, 1853.*

To the Senate of the United States:

I nominate S. Beach Driggs to be consul of the United States at the city of Caraccas, in the Republic of Venezuela.

MILLARD FILLMORE.

WASHINGTON, *February 17, 1853.*

To the Senate of the United States:

I nominate José Otero to be attorney of the United States for the District of New Mexico, in the place of Elias P. West, resigned.

MILLARD FILLMORE.

WASHINGTON, *February 18, 1853.*

To the Senate of the United States:

I nominate John L. Helm, of Kentucky, who was commissioned during the recess of the Senate, to be commissioner under the act of Congress approved March 3d, 1851, to ascertain and settle the private land claims in the State of California, in place of Gustavus A. Henry, who declines the office.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *February 14th, 1853.*

To the Senate of the United States:

I nominate Samuel Edwards, now a master in the line of promotion, to be a lieutenant in the Navy from the 17th of January, 1853, to fill a vacancy occasioned by the death of Lieutenant Charles Heywood.

MILLARD FILLMORE.

WASHINGTON, *February 21, 1853.*

To the Senate of the United States:

I nominate Thomas S. English, now a captain, to be a major in the Marine Corps, from the 15th of February, 1853, to fill the vacancy occasioned by the death of Major Thomas A. Linton.

Charles W. Place, now a master in the line of promotion, to be a lieutenant in the Navy, from the 21st of February, 1853, to fill a vacancy occasioned by the death of Lieutenant George W. Chapman.

MILLARD FILLMORE.

WASHINGTON, *February 22, 1853.*

To the Senate of the United States :

I nominate Ellis De Treville to be attorney of the United States for the district of South Carolina, in the place of James L. Pettigru, resigned.

MILLARD FILLMORE.

WASHINGTON, *February 23, 1853.*

To the Senate of the United States :

I hereby nominate Turner W. Ashby to be deputy postmaster at Alexandria, in the county of Alexandria, State of Virginia, in place of Daniel Bryan, resigned.

MILLARD FILLMORE.

EXECUTIVE CHAMBER, *February 23, 1853.*

To the Senate of the United States :

I have the honor to transmit herewith a report from the Secretary of the Treasury of the 21st instant, in reference to the reinvestment of certain moneys belonging to the Chickasaw Nation of Indians, which will come into the Treasury during the succeeding vacation of the Senate, and I respectfully concur in the recommendation made by the Secretary.

MILLARD FILLMORE.

WASHINGTON, *February 21, 1853.*

To the Senate of the United States :

I transmit to the Senate, with the view to its ratification, a convention which was yesterday concluded between the United States and Great Britain for the establishment of international copyright,

MILLARD FILLMORE.

WASHINGTON, *February 18th, 1853.*

To the Senate of the United States :

I transmit to the Senate for advice and consent, with a view to ratification, a convention between the United States and Her Britannic Majesty for the adjustment of certain claims of citizens of the United States on the British Government, and of British subjects on the Government of the United States, signed in London, on the 8th instant. Although it is stipulated by the terms of the first article of the convention that the commissioner on the part of this Government shall be appointed by the President of the United States, it is not understood that this stipulation was intended to dispense with the concurrence of the Senate in such appointment.

MILLARD FILLMORE.

WASHINGTON, *February 23, 1853.*

The messages were read.

Ordered, That the nomination of William C. Micou be referred to the Committee on the Judiciary.

Ordered, That the nomination of S. Beach Driggs be referred to the Committee on Commerce.

Ordered, That the nominations of José Otero and Ellis De Treville be referred to the Committee on the Judiciary.

Ordered, That the nomination of John L. Helm be referred to the Committee on Public Lands.

Ordered, That the nominations of Samuel Edwards, Thomas S. English, and Charles W. Place be referred to the Committee on Naval Affairs.

Ordered, That the nomination of Turner W. Ashby be referred to the Committee on the Post-Office and Post-Roads.

Ordered, That the message communicating a report from the Secretary of the Treasury in reference to the reinvestment of certain moneys belonging to the Chickasaw Indians be referred to the Committee on Indian Affairs.

The convention between the United States of America and Her Britannic Majesty for the establishment of international copyright, concluded at Washington the 17th day of February, in the year of our Lord eighteen hundred and fifty-three, was read the first time.

On motion by Mr. Mason,

Ordered, That the convention and the message therewith be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

The convention between the United States of America and Her Britannic Majesty for the adjustment of certain claims of citizens of the United States on the British Government and of British subjects on the Government of the United States, concluded at London the 8th day of February, 1853, was read the first time.

On motion by Mr. Mason,

Ordered, That the convention and the message therewith be referred to the Committee on Foreign Relations and printed in confidence for the use of the Senate.

Mr. Shields, from the Committee on the District of Columbia, to whom was referred, the 7th instant, the nomination of Charles H. Wiltberger, and on the 11th instant that of James M. Wright, reported.

Mr. Felch, from the Committee on Public Lands, to whom was referred, the 30th December last, the nomination of Daniel A. Farley, and on the 7th instant those of Jacamiah Seaman and Abner L. Gilstrap, reported.

Mr. Dawson, from the Committee on Military Affairs, to whom was referred, the 9th December last, the nomination of Samuel McManemy, reported.

On motion by Mr. Shields,

The Senate proceeded to consider the nominations of John B. Grayson, Danville Leadbetter, John Newton, Andrew J. Donelson, David Bell, Henry J. Hunt, Christopher R. P. Butler, James M. Robinson, Robert B. Thomas, Albert J. S. Molinard, Christopher C. Auger, William H. Scott, Henry C. Hodges, Simon B. Buckner, and Basil Norris; and

Resolved, That the Senate advise and consent to the promotion and appointment of the said persons in the Army of the United States, agreeably to their nominations respectively.

On motion by Mr. Soulé,

Ordered, That the Committee on the Judiciary, to whom was this day referred the nomination of William C. Micou, be discharged therefrom.

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message
not printed
2.

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message
not printed
2.